

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

IN RE: DICAMBA HERBICIDES)	Main Case 1:18-md-2820-SNLJ
LITIGATION)	Indiv. Case 1:21-cv-00104-SNLJ

PLAINTIFFS' MOTION TO REMAND TO JEFFERSON COUNTY, TEXAS

Plaintiffs in *Andy Timmons, Inc. d/b/a Lost Draw Vineyards, et al. v. Bayer Crop Science, LP et al.*, 1:21-cv-00104-SNLJ, pursuant to 28 U.S.C. § 1447(c), move to remand this action to the 60th Judicial District Court of Jefferson County, Texas.

As set forth in Plaintiffs' supporting memorandum, there is no basis for federal jurisdiction: (1) there is no federal question, (2) there is no complete diversity, and (3) the doctrine of fraudulent misjoinder, even if accepted in this Circuit, does not apply. Because Defendants cannot carry their burden, this matter should be remanded back to the state court where it was filed.

Dated: August 2, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2021, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system on all counsel of record.

/s/ Adam M. Dinnell
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